

84TH CONGRESS
1ST SESSION

H. R. 762

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1955

Mr. FORRESTER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the admission into evidence in certain criminal proceedings of information intercepted in national security investigations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That information obtained prior to the effective date of this
4 Act by the Director of the Federal Bureau of Investigation
5 of the Department of Justice; the Assistant Chief of Staff,
6 G-2 of the Army General Staff, Department of the Army;
7 the Director of Intelligence, Department of the Air Force;
8 and the Director of Naval Intelligence, Department of the
9 Navy, through or as a result of the interception of any com-
10 munication by wire or radio upon the express written

1 approval of the Attorney General of the United States and
2 in the course of any investigation to detect or prevent any
3 interference with or endangering of, or any plans or attempts
4 to interfere with or endanger, the national security or de-
5 fense of the United States by treason, sabotage, espionage,
6 sedition, seditious conspiracy, violations of chapter 115 of
7 title 18 of the United States Code, violations of the Internal
8 Security Act of 1950 (64 Stat. 987), violations of the
9 Atomic Energy Act of 1946 (60 Stat. 755), as amended,
10 violations of the Atomic Energy Act of 1954 (68 Stat. 919),
11 and conspiracies involving any of the foregoing, shall, not-
12 withstanding the provisions of section 605 of the Com-
13 munications Act of 1934 (48 Stat. 1103), be deemed
14 admissible, if not otherwise inadmissible, in evidence in any
15 criminal proceedings in any court established by Act of
16 Congress, but only in criminal cases involving any of the
17 foregoing violations.

18 SEC. 2. Information obtained after the effective date of
19 this Act by the Director of the Federal Bureau of Investiga-
20 tion of the Department of Justice; the Assistant Chief of
21 Staff G-2 of the Army General Staff, Department of the
22 Army; the Director of Intelligence, Department of the Air
23 Force; and the Director of Naval Intelligence, Department
24 of the Navy, through or as a result of the interception of
25 any communication by wire or radio upon the express written

1 approval of the Attorney General of the United States and
2 in the course of any investigation to detect or prevent any
3 interference with or endangering of, or any plans or attempts
4 to interfere with or endanger, the national security or de-
5 fense of the United States by treason, sabotage, espionage,
6 sedition, seditious conspiracy, violations of chapter 115 of
7 title 18 of the United States Code, violations of the Internal
8 Security Act of 1950 (64 Stat. 987), violations of the Atomic
9 Energy Act of 1954 (68 Stat. 919), and conspiracies
10 involving any of the foregoing, shall, notwithstanding the pro-
11 visions of section 605 of the Communications Act of 1934
12 (48 Stat. 1103), be deemed admissible, if not otherwise
13 inadmissible, in evidence in any criminal proceedings in any
14 court established by Act of Congress, but only in criminal
15 cases involving any of the foregoing violations: *Provided,*
16 That prior to intercepting the communications from which the
17 information is obtained, an authorized agent of any one of said
18 investigatorial agencies shall have been issued an ex parte
19 order by a judge of any United States Court of Appeals or
20 a United States district court, authorizing the agent to inter-
21 cept such communications. Upon application by any author-
22 ized agent of any one of said investigatorial agencies to inter-
23 cept communications in the conduct of investigations pursuant
24 to this section, a judge of any United States Court of Appeals
25 or a United States district court may issue an ex parte order,

1 signed by the judge with his title of office, authorizing the
2 applicant to intercept such communications, if the judge is
3 satisfied that there is reasonable cause to believe that such
4 crime or crimes have been or are about to be committed and
5 that the communications may contain information which
6 would assist in the conduct of such investigations.

7 SEC. 3. No person shall divulge, publish, or use the
8 existence, contents, substance, purport, or meaning of any
9 information contained in any aforesaid ex parte order or ob-
10 tained pursuant to the provisions of this Act otherwise than
11 for the purpose hereinbefore enumerated.

12 SEC. 4. Any person who willfully and knowingly vio-
13 lates any provision of this Act shall be fined not more than
14 \$5,000 or imprisoned not more than one year and a day,
15 or both.

16 SEC. 5. All carriers subject to the Communications Act
17 of 1934 (48 Stat. 1103) are hereby authorized to permit
18 such interception and disclosure of any such communications
19 by wire or radio.

20 SEC. 6. If any provision of this section or the applica-
21 tion of such provision to any circumstance shall be held in-
22 valid, the validity of the remainder of this section and the
23 applicability of such provision to other circumstances shall
24 not be affected thereby.

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